

RESPONSE UNDER 37 C.F.R. § 1.111

Application No.: 10/765,565

Attorney Docket No.: Q78457

Group Art Unit No.: 2683

Rejection of the Claims

Claims 16, 20, 21, and 32 stand rejected as being anticipated by Fukuda (JP 2003-152888). Claims 1-3, 5, 14, and 15 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mani in view of Fukuda. Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Mani in view of Fukuda, and further in view of Mani '763. Claims 17 and 18 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukuda in view of Mani. Claim 19 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukuda in view of Mani and further in view of Mani '763.

Applicants respectfully submit that Fukuda is not applicable as a reference due to its publication date of May 23, 2003 in Japan.

35 U.S.C. § 102(e) Rejections

Claims 6-8, 10, 12, 13, 22, 25, 27, and 29-31 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Mani (U.S. Patent Publication No. 2002/0181683). Applicants respectfully traverse the rejection. Mani is related to a call party presentation system that is used to deliver a party's calling presentation profile to a subscriber at a call setup or during the call in order to uniquely identify the caller (see Abstract).

With respect to independent claim 6 (as well as independent claim 22), it is related to an embodiment where multimedia data previously stored by a receiving phone is sent to a sending mobile phone by a multi-media data-providing server. Thus, claims 6 and 22 and the method of Mani are opposite. In the present invention, multimedia data is sent to the sender, while in Mani,

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data is sent to the receiver or callee if a subscriber (see paragraphs [054] through [057]). Thus, the claims distinguish from the cited Figure 9 of Mani.

Claims 9 and 26 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mani in view of Mani '763. Claims 23 and 24 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mani in view of Faccin et al. Claims 11 and 28 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Mani in view of Chen et al. (U.S. Patent No. 5,751,791). Applicants respectfully submit that these claims are allowable at least based on their dependence on claims 6 and 22.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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